

**IN THE UNITED STATES BANKRUPTCY COURT
DISTRICT OF PUERTO RICO**

IN RE: **JUAN FRANCISCO ESTRADA MANATOU**

Debtor(s)

CASE NO: **16-01652-ESL****Chapter 13****TRUSTEE'S OBJECTION TO PROPOSED PLAN CONFIRMATION UNDER SECTION 1325**

*ATTORNEY FEES AS PER R 2016(b) STATEMENT:

Attorney of Record: **JOSE A LEON LANDRAU***Total Agreed: **\$3,000.00** Paid Pre-Petition: **\$400.00** Outstanding (Through the Plan): **\$2,600.00**

*TRUSTEE'S POSITION RE CONFIRMATION UNDER U.S.C. §1325

Debtor(s) Income is (are) ☒ Under ☐ Above Median IncomeLiquidation Value: **\$0.00**Commitment Period is ☒ 36 months ☐ 60 months §1325(b)(1)(B) General Unsecured Pool: **\$0.00**With respect to the (amended) Plan date: **Aug 11, 2016 (Dkt 26)** **Plan Base: \$9,960.00**The Trustee: ☐ DOES NOT OBJECT ☒ **OBJECTS** Plan Confirmation Gen. Uns. Approx. Dist.: **0.09 %**

The Trustee objects to confirmation for the following reasons:

[1325(a)(8)] DSO Payment Default – Debtor(s) is in default with post-petition DSO payments.

Debtor has failed to submit evidence of being current with post petition DSO payments up until the the confirmation of the plan. Debtor has 1 account that is being paid through ASUME. Per evidence submitted, Debtor's last DSO payment was made on June 2016.

[1325(a)(9)] Tax Requirements – Debtor(s) fails to comply with Tax Return filing requirement of [1308].

-Debtor has failed to submit evidence of compliance with the filing of Local and/or Federal Tax Returns corresponding to year 2014.

Debtor took a car loan in January 2014 with Popular Auto, while he previously testified under oath that he was unemployed during the years 2010 to 2014. Therefore, debtor must file the 2013 tax return.

Per debtor's testimony he did not receive income in 2015, thus, he must amend Form 2781 to include such year.

***OTHER COMMENTS / OBJECTIONS**

NONE.

NOTICE

14 day notice: Within fourteen (14) days after service as evidenced by the certification, and an additional three (3) days pursuant to Fed. R. Bank. P. 9006(f) if you were served by mail, any party against whom this paper has been served, or any other party to the action who objects to the relief sought herein, shall serve and file an objection or other appropriate response to this paper with the Clerk's office of the U.S. Bankruptcy Court for the District of Puerto Rico. If no objection or other response is filed within the time allowed herein, the paper will be deemed unopposed and may be granted unless: (i) the requested relief is forbidden by law; (ii) the requested relief is against public

policy; or (iii) in the opinion of the Court, the interest of justice requires otherwise.

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CERTIFICATE OF SERVICE: The Chapter 13 Trustee herewith certifies that a copy of this motion has been served via first class mail on the same date it is filed to: the DEBTOR(S), and to her/his/their attorney through CM-ECF notification system.

/s/ Jose R. Carrion, Esq.
CHAPTER 13 TRUSTEE
PO Box 9023884, San Juan PR 00902-3884
Tel. (787)977-3535 Fax (787)977-3550

Date: September 16, 2016

/s/ Nannette Godreau, Esq.

Last Docket Verified: 33 Last Claim Verified: 5 CMC: AM